

Notice of Allowability

Application No.

10/772,753

Examiner

Justin R. Fischer

Applicant(s)

KOEUNE ET AL.

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01 May 2006.
2. ☒ The allowed claim(s) is/are 8-10 and 15-20 (renumbered 1-9).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on May 1, 2006 disclaiming the terminal portion of any patent granted on this application that would extend beyond the expiration date of United States Patent 6,712,108 has been reviewed and is accepted. The terminal disclaimer has been recorded.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the claims:

Claim 15 (new claim 1), line 3: the punctuation --,-- is added after the word "innerliner".

Claim 16 (new claim 6), line 3: the punctuation --,-- is added after the word "innerliner".

Claim 18 (new claim 3), line 4: the language "? and ?" is deleted.

Allowable Subject Matter

3. Claims 8-10 and 15-20 (renumbered 1-9) are allowed. The following is an examiner's statement of reasons for allowance:

The prior art of record recognizes the use of multiple reinforcing layers in the sidewall region of tires, as shown for example by Hoshino, Kono, Mezzanotte, and Deck. In particular, Hoshino, Mezzanotte, and Deck are directed to runflat tire constructions. In the runflat tire constructions of Hoshino and Mezzanotte, reinforcing cord layers are disposed within or embedded within a run flat insert to improve runflat performance. However, such reinforcement structures are not “disposed between two wedge inserts”. Thus, the tires of Hoshino and Mezzanotte only contain a single runflat insert, as opposed to the multiple insert assembly of the claimed invention, having multiple reinforcing cord layers embedded or disposed within. One of ordinary skill in the art at the time of the invention would not have found it obvious to use the multiple reinforcing cord layers of either Hoshino or Mezzanotte to separate a pair of runflat inserts from one another. Regarding Deck, the reference teaches the placement of a reinforcing cord layer formed of metallic reinforcing elements between a pair of distinct sidewall runflat inserts, as best depicted in Figure 2. In this instance, though, the reference fails to suggest the use of two reinforcing cord layers in each sidewall and furthermore, the reference fails to describe the cord reinforcing layer as formed of two cross-biased fabric layers. Thus, it is evident that the prior art references of record failed to suggest, disclose, or teach the claimed runflat tire construction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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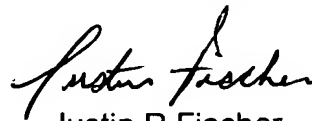
accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin R. Fischer whose telephone number is (571) 272-1215. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Justin R Fischer
Primary Examiner
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